IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 13889 of 2007(C)

PETITIONER:

A.J.RAJU,
(SUPDT., KSRTC, KOLLAM, RTD. ON 31/07/2005),
ANANDA BHAVAN, ELAMPALLOOR,
KUNDARA P.O., KOLLAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

KERALA STATE ROAD TRANSPORT CORPN.,
REP. BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY ADV. SHRI.JOHNSON P.JOHN, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, ALONG WITH WA NO.1642 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO.13889 OF 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF PENSION PAYMENT ORDER ISSUED TO THE PETITIONER, DATED NIL.

EXT.P2: TRUE COPY OF MARRIAGE INVITATION LETTER, DATED NIL.

EXT.P2A: TRUE COPY OF AUDITORIUM BOOKING AGREEMENT SHEET DT.16.3.2007.

EXT.P3: A TRUE COPY OF JUDGMENT DATED 28.9.2004 IN WA NO.1775/2004.

//TRUE COPY//

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.
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W.P(C). NO. 13889 OF 2007
&
W.A. NO. 1642 OF 2007
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Dated this the 6th day of July, 2007

J U D G M E N T

Radhakrishnan, J.

The writ petition was preferred seeking a writ of mandamus directing the respondent to disburse pensionary benefits including DCRG, Commuted Value of Pension etc., to the petitioner with interest.

2. Learned Single Judge passed an interim order in WP(C) No.13889/2007 dated 8/5/2007 directing the Corporation to release the amount of DCRG due to the petitioner on before 20/5/2007.

3. Learned counsel for the KSRTC submitted that the direction given by the learned Single Judge would affect the priority list published by the KSRTC on the basis of the direction given by the Division Bench in WA 289/01. In such circumstances, we are inclined to vacate the interim order passed by the learned Single Judge and dispose of the writ petition as well as the writ

appeal, directing the KSRTC to follow the priority list strictly in accordance with law. We make it clear that the marriage of the children is not a sufficient ground to upset the priority list, barring the ground of serious illness or other calamities.

With the above direction, the writ petition and the writ appeal are disposed of.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp